

AGENDA BILL APPROVAL FORM

Agenda Subject: Ordinance No. 6273		Date: 11/09/09
Department: Police	Attachments: Ordinance No. 6273	Budget Impact:
Administrative Recommendation: City Council introduce and adopt Ordinance No. 6273.		
Background Summary: <p>Added vehicle weight to the current City Code 10.36 as the definition of commercial vehicle parking under the RCW was not expansive enough and did not encompass all large vehicles parking on City streets.</p> <p>In addition, 10.36.190.B.5 is removed as a section had already been added allowing vehicles to load and unload product.</p> <p>P1116-1</p> <p>O1.2</p>		
Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. </div> <div style="width: 45%;"> COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>		Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input type="checkbox"/> Legal <input type="checkbox"/> Public Works <input type="checkbox"/> Information Services </div> <div style="width: 45%;"> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
Action: <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____ </div> <div style="width: 50%;"> Call for Public Hearing ____/____/____ </div> </div>		
Councilmember: Cerino		Staff: Kelly
Meeting Date: November 16, 2009		Item Number: VIII.A.2

ORDINANCE NO. 6273

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 10.36.190 AND 10.36.192 OF THE AUBURN CITY CODE RELATING TO COMMERCIAL VEHICLE PARKING AND RESIDENTIAL PARKING

WHEREAS, the Auburn City Code includes public safety regulations which address traffic and parking regulations enforceable within the City; and

WHEREAS, the current provisions of the City Code define parking in terms of the types of streets to which regulations apply and enforcement alternatives; and

WHEREAS, City staff, after reviewing the parking regulations, has recommended amending those regulations to meet current needs and to clarify regulatory provisions, including parking regulations relating to commercial vehicles and the parking of large vehicles on residential streets.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That section 10.36.190 of

the Auburn City Code be and the same hereby is amended to read as follows:

10.36.190 Commercial Vehicles and Large Vehicles .

A. Except as provided for in this section, no person shall park any commercial vehicle with a gross vehicle weight rating of 16,000 pounds or more as indicated in the records of the Washington state Department of Motor Vehicles for the vehicle, on any street, alley or public right-of-way in the city.

B. Parking Commercial vehicles with a gross vehicle weight rating of 16,000 pounds or more as indicated on the vehicle or as indicated in the records of the Washington state Department of Motor Vehicles is permitted at the following locations:

1. D Street NW both sides, between 44th Street NW and S 277th, where practical;
2. 44th Street NW south side, west of D St NW and east of the Union Pacific RR right-of-way;
3. E St. NE west side, between 23rd St NE and 26th St NE;

4. Lund Rd. SW east side, W. Main Street to end;
5. ~~Directly adjacent to and on the same side of the street as property on which a commercial business, other than a properly permitted home occupation, is located; provided, that the free flow of traffic is unobstructed.~~

C. Commercial vehicles may be stopped or parked in other safe locations while in the process of actively loading, unloading or providing services to residences or businesses in the immediate vicinity of where the vehicle is parked; provided, that the free flow of traffic is unobstructed.

D. The penalty for parking in violation of this section shall be a fine of \$250.00 per violation, in addition to other costs and assessments provided by law. A violation of this section shall be considered a parking infraction and shall be processed in accordance with the state statutes, court rules and city ordinances regarding parking infractions. Each calendar day during which a violation occurs shall constitute a separate infraction, and each instance when a commercial vehicle parks at a location in violation of this section shall be a separate violation.

E. The provisions of this section do not apply to recreational vehicles as regulated by ACC 10.36.191.

F. This section does not permit or authorize anyone to park any commercial vehicle weighing more than 16,000 pounds, on any street within the city that does not have adequate space for parking or where parking is otherwise prohibited. (Ord. 6222 § 2, 2009; Ord. 6035 § 1, 2006; Ord. 6030 § 1, 2006; Ord. 5943 § 1, 2005; Ord. 5492 § 1, 2001.)

Section 2. Amendment to City Code. That section

10.36.192 of the Auburn City Code be and the same hereby is amended to read as follows:

10.36.192 Trailers.

A. No unattached trailer, semitrailer, or pole trailer shall be parked within any city right-of-way; provided, that an unattached trailer, semitrailer, or pole trailer with a gross vehicle weight rating of less than ~~20,000~~16,000 pounds as indicated in the records of the Washington State Department of Motor Vehicles for the vehicle may be parked within any city right-of-way in a residential neighborhood in the city for up to 24 hours.

B. The penalty for parking in violation of this section shall be a fine of \$250.00 per violation, in addition to other costs and assessments provided by law. A violation of this section shall be considered a parking infraction and shall be processed in accordance with the state statutes, court rules and city ordinances regarding parking infractions. Each calendar day during which a violation occurs shall constitute a separate infraction and each instance when an oversized or commercial vehicle parks at a location in violation of this section shall be a separate violation.

C. This section does not permit or authorize anyone to park any trailer on any street within the city that does not have adequate space for parking or where parking is otherwise prohibited. (Ord. 6222 § 4, 2009.)

Section 3. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 4. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

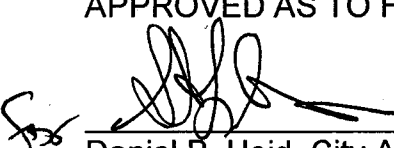
CITY OF AUBURN

ATTEST:

PETER B. LEWIS
MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____